



**MINUTES  
PLANNING AND ZONING COMMISSION  
CITY OF MISSOURI CITY, TEXAS  
February 11, 2009**

**1. CALL TO ORDER**

The Notice of Meeting and Agenda having been duly posted in accordance with legal requirements and a quorum being present, the meeting was called to order by Chairman Lee at approximately 7:02 p.m.

**2. ROLL CALL**

**Commissioners in Attendance:**

Ron Lee, Chairman  
Hugh Brightwell  
Chris Connolly (arrived 7:04 pm)  
Bill McCrea  
Sonya Brown-Marshall  
Len Goff, Jr.  
Timothy Haney  
Bobby Marshall  
John O'Malley

**Staff:**

Ornita Green, Director of Planning  
Scott Elmer, Director of Public Works  
Jing Chen, Assistant City Engineer  
Gary Smith, First Assistant City Attorney  
Tim Kirwin, Assistant City Attorney  
Jennifer Thomas, AICP, Planner II  
Travis Huff, Planner I  
Yolanda Ford, Planner I  
Millie Holifield, Utilities Coordinator  
Betty Collins, Administrative Assistant

**Council Members in Attendance: Eunice Reiter**

**Others Present:**

**Mukesh Baxi  
Joe Bhonn  
James Brown  
Jerry Graham**

**T J Patel  
Michael Rusk  
Jerry Scott**

**3. READING OF MINUTES**

**Motion:** To accept the minutes as written.

**Made by:** Commissioner Marshall

**Seconded:** Commissioner Haney

**Vote:** 8-0

**Note:** Commissioner Connolly arrived after the vote

**4. REPORTS**

There were no reports given. There would be further discussion later.

**5. STAFF REPORTS**

(a) Ms. Ornita Green, Director of Planning: None given

(b) Ms. Jing Chen, Assistant City Engineer – Public Works: None given

**6. PUBLIC COMMENTS**

No comment from the audience.

**7. CONSENT AGENDA**

- (a) Consideration of the approval of a preliminary plat for Scanlan Trace Church Subdivision.
- (b) Consideration of the approval of a preliminary plat for Sienna Village of Anderson Springs Section 10A.
- (c) Consideration of the approval of a preliminary plat for Sienna Village of Anderson Springs Section 11A.
- (d) Consideration of the approval of a preliminary plat for Sienna Village of Anderson Springs Section 12A.
- (e) Consideration of the approval of a preliminary plat for Sienna Village of Shipman's Landing Section Two B.
- (f) Consideration of the approval of a final plat for Baxi Center.

**Motion:** Motion to approve the Consent Agenda as submitted.

**Made by:** Commissioner Haney

**Seconded by:** Commissioner Brown-Marshall

**Question:**

Commissioner Haney: One question on 7C: Whether or not that road would be continued – has that been answered?

Mr. James Brown with LJA Engineering: A letter will be issued to the City of Missouri City. It will be extended another 500 or so feet with a cul de sac at the end. This is just the Phase A section. Phase B will follow up in the next 6-8 months.

Commissioner Marshall: Question on 7F: Is there a planned use for this acreage?

Ms. Jennifer Thomas, AICP, Planner II: Just general retail.

Commissioner Marshall: Could you clarify on the drawing – is that a driveway going north of this spot?

Ms. Thomas: It's an existing gravel driveway to the north of this tract.

Commissioner Marshall: So that is existing gravel that's on here?

Ms. Thomas: The applicant is in talks with TXDOT as to where a new location for a driveway will be. Those negotiations are still going on.

Commissioner Marshall: So it is expected that a new driveway will be going into this 0.948 acres?

Ms. Thomas: Possibly.

Commissioner Marshall: Does it mean the gravel road will be abandoned?

Ms. Thomas: I don't know if Scott or Jing want to address the existing gravel road.

Commissioner Marshall: Would it put two of them too close together is my question.

Mr. Mukesh Baxi: We will comply with what TXDOT suggests we do before we put in any new.

Commissioner Marshall: You will be requesting a new driveway within your property?

Mr. T J Patel: We are looking to get a driveway within our property but we are having some issues since there is one existing. We are requesting a driveway for our property.

Mr. Scott Elmer: Since this is on FM 1092 the City is going to defer to TXDOT unless we see an overriding safety issue. It's going to be more of a TXDOT area engineer's judgment on this.

**Vote:** 9-0

## **8. PUBLIC HEARING AND CONSIDERATION FOR A PLANNED DEVELOPMENT**

- (a) Public hearing to receive comments for or against a request b Joseph J. Bhonn to rezone an approximate 2.42 acre tract of land from R-1, Residential District to PD, Planned Development District to allow for the subdivision of a residential lot and the allowance of a private septic system and water well.

Ms. Jennifer Thomas, AICP, Planner II, presented this project: The applicant is planning to subdivide this 2.42 acre tract of land to create two residential lots. The purpose of the PD is to allow for the use of the septic and water well systems on the new lot that's created from the subdivision. In addition to what you have in staff's report, there should be a clarification for sidewalks because there should also be a request not to require them to install a sidewalk for that new lot as there are no sidewalks in Oyster Creek Farms.

Commissioner Haney: Is this the only option they have to go with the PD – because of the ordinance?

Ms. Thomas: Because our ordinances now require public utilities, this is the only way around that.

Commissioner McCrea: We have two letters that are in favor of the PD as long as they follow the deed restrictions. We don't have any control over that, do we?

Ms. Thomas: No, we don't have any control over the deed restrictions, but Oyster Creek Farms restrictions specify that each lot has to be a minimum of one acre. The subdivision that he is proposing is roughly an acre for each lot. Some of the comments that we've received back are assuring the residents that the use isn't changing. It's still a residential use and it's still single family residential as it was previously. It's just to allow the septic and water well.

Mr. Joe Bhonn: He stated that he has been a resident for nearly 30 years. Mr. Bhonn lives in Oyster Creek Farms and he lives on acreage and has asphalt roads. There are no sidewalks and no public

water supply. They own septic systems. He lives on 2.42 acres and is looking to divide the acreage. He can no longer physically take care of 2.42 acres.

Commissioner Marshall: Will the second area be accessible off Johnson Drive?

Mr. Bhonn: It's accessible from either Johnson Drive or Oyster Creek Drive.

## **PUBLIC HEARING**

**Motion:** Motion to close the Public Hearing

**Made by:** Commissioner Haney

**Seconded by:** Commissioner Marshall

**Vote:** 9-0

(b) Consideration of the approval of a Final Report to City Council on item 8a above.

**Motion:** Motion to forward a positive recommendation to CC on item 8A above and will include the deviation not to require them to install a sidewalk.

**Made by:** Commissioner Haney

**Seconded by:** Commissioner McCrea

**Vote:** 9-0

## **9. ADJOURN**